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17 Attorneys for Defendant biolitec, Inc.

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19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21 SAN FRANCISCO DIVISION

22 TYCO HEALTHCARE GROUP LP d/b/a  
23 VNUS MEDICAL TECHNOLOGIES,

24 Plaintiff,

25 vs.

26 BIOLITEC, INC., DORNIER MEDTECH  
27 AMERICA, INC., and NEW STAR  
LASERS, INC. d/b/a COOLTOUCH, INC.

28 Defendants.

Case No. C08-03129 MMC  
**ORDER APPROVING  
STIPULATION AND [PROPOSED]  
ORDER TO PERMIT COUNSEL TO  
APPEAR BY TELEPHONE AT FURTHER  
STATUS CONFERENCE SET FOR  
FEBRUARY 18, 2011**

**(Civil Local Rule 7-12)**

22 TYCO HEALTHCARE GROUP LP d/b/a  
23 VNUS MEDICAL TECHNOLOGIES,

24 Plaintiff,

25 vs.

26 TOTAL VEIN SOLUTIONS, LLC. d/b/a  
27 TOTAL VEIN SYSTEMS,

28 Defendants.

Case No. C08-04234 MMC  
(consolidated with Case No. C08-03129 MMC)

WHEREAS a status conference in this case is scheduled to take place on February 18, 2011 at 10:30 AM.

WHEREAS lead counsel for the various defendants live and practice in various cities across the country. Lead trial counsel for defendant biolitec, Inc. (“biolitec”) live and practice in Boston, Massachusetts. Lead trial counsel for defendant Total Vein Solutions, LLC d/b/a Total Vein Systems (“TVS”) live and practice in La Jolla/San Diego, California.

WHEREAS no motions are set for argument at the February 18 conference, and counsel believe the conference will be relatively brief and will relate primarily to procedural matters such as case management following the December 8, 2010 jury verdict;

WHEREAS counsel believe the benefit of a personal appearance at the conference is outweighed by the significant expense to each of the defendants for their respective counsel to travel to San Francisco from the various cities in which each attorney practices; and

WHEREAS plaintiff Tyco Healthcare Group LP d/b/a VNUS Medical Technologies (“VNUS”), by and through its counsel of record, have agreed to the request by defense counsel to appear by telephone.

NOW THEREFORE, the parties, by and through their respective counsel of record, hereby stipulate, agree, and jointly apply to the Court for an Order in the above-entitled action permitting all counsel to appear telephonically at the February 18, 2011 status conference.

Dated: February 3, 2011

Respectfully submitted,

ATTORNEYS FOR DEFENDANT  
BIOLITEC, INC.

By: /s/ Michael N. Rader  
Michael N. Rader (pro hac vice)  
Charles T. Steenburg (pro hac vice)  
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ATTORNEYS FOR DEFENDANT  
TOTAL VEIN SOLUTIONS, LLC d/b/a  
TOTAL VEIN SYSTEMS

By: /s/ John Karl Buche  
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ATTORNEYS FOR PLAINTIFF  
VNUS MEDICAL TECHNOLOGIES, INC.

By: /s/ Matthew B. Lehr  
Matthew B. Lehr (Bar No. 213139)  
Diem-Suong T. Nguyen (Bar No. 237557)  
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1 Pursuant to General Order No. 45, I hereby attest that I have concurrence to file this  
2 stipulation from all parties whose signatures are indicated by a "conformed" signature (/s/) within  
3 this e-filed document.

4  
5 /s/ Michael N. Rader  
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7 Michael N. Rader  
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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

11 Dated: February 7, 2011  
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HON. MAXINE M. CHESNEY  
United States District Judge